

No. 740
REGISTERED
2293
THE CORPORATION OF THE CITY OF KELOWNA

BY-LAW NO. 740.

NOV 30 1938

A By-Law to make regulations for the purposes set out in Section 9 of the Town Planning Act, being Chapter 287 of the Revised Statutes of British Columbia, 1936, and to divide the Municipality into Districts, pursuant thereto.

WHEREAS the Municipal Council of The Corporation of the City of Kelowna is desirous of passing a Zoning By-Law under the provisions of Section 9 of the aforesaid Town Planning Act, having due regard to the following considerations:-

- (a) The promotion of public health, safety, convenience and welfare.
- (b) The prevention of the overcrowding of land and the preservation of the amenity of residential districts.
- (c) The securing of adequate provisions for light, air and reasonable access.
- (d) The value of the land and the nature of its use and occupancy.
- (e) The character of each district, the character of the buildings already erected, and the peculiar suitability of the district for particular uses.
- (f) The conservation of property values and the direction of building development.

AND WHEREAS the said Municipal Council has duly complied with the provisions of Section 10 of the said Act.

NOW THEREFORE the Municipal Council of The Corporation of the City of Kelowna, in open meeting assembled, enacts as follows:-

SHORT TITLE

1. This By-Law may be cited for all purposes as the "City of Kelowna Zoning By-Law, 1938".

DEFINITIONS

2. In this By-Law, unless the context otherwise requires:-

(1) General

The word "structure" shall include "a building" and
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"an erection"; the word "occupied" includes "designed or intended to be occupied"; the word "used" shall include "arranged, designed or intended to be used".

(2) Act

"Act" shall mean the Town Planning Act, being Chapter 287 of the Revised Statutes of British Columbia, 1936, with any and all amendments thereto.

(3) Apartment

"Apartment" shall mean a room or a suite of two or more rooms occupied as a home, residence or dwelling of an individual, family or household.

(4) Apartment-house

"Apartment-house" shall mean a building containing more than two (2) apartments, including tenements, multi-family houses, hotels, boarding-houses and rooming-houses serving more than fifteen persons, lodging houses, dormitories, convents, boarding schools, bunk houses, and club houses; but does not include institutional buildings such as hospitals, asylums, sanitoriums, fire halls, police stations, jails, or the like.

(5) Board of Appeal

"Board of Appeal" shall mean the Board appointed pursuant to the provisions of Section 16 of the said Act.

(6) Building

"Building" shall mean a structure having a roof supported by columns or walls, and used for the shelter or accommodation of persons, animals or chattels.

(7) Building, accessory

"Accessory building" shall mean a subordinate, detached building designed or intended for the better or more convenient enjoyment of the main building to which it is accessory, and located upon the lot upon which such main building is or is intended to be erected, and shall include a private stable or a private garage, where such garage does not form part of the main building.

(8) Building By-Law

"Building /

"Building By-Law" shall mean the 'Fire Limits and Building Regulation By-Law', being By-Law No.668 of The Corporation of the City of Kelowna, and any or all amendments thereto, and any subsequent By-Law or By-Laws which may be enacted in substitution therefor.

(9) Building Inspector

"Building Inspector" shall mean the Building Inspector appointed pursuant to the provisions of the "Building By-Law".

(10) Cellar

"Cellar" shall mean that portion of a building below the ground floor joists, the floor of which is more than one-half the height from ceiling to floor below the adjacent ground, exclusive of areas.

(11) City

"City" shall mean The Corporation of the City of Kelowna.

(12) Council

"Council" shall mean the Municipal Council of The Corporation of the City of Kelowna.

(13) Court

"Court" shall mean an open space unoccupied from the ground to the sky on the same lot with the building which it serves, and partly enclosed by walls but with at least one side open completely unto a yard, street, or lane.

(14) Courtyard

"Courtyard" shall mean an open space unoccupied from the ground to the sky located on the same lot with the building which it serves and enclosed on all sides by walls but with an unobstructed passage way at least ten feet wide and eight feet high opening directly unto a yard, street, or lane.

(15) Dwelling

"Dwelling" shall mean a building occupied exclusively for residential purposes and not having more than two apartments, or as a boarding or rooming house serving not more than fifteen persons with meals or sleeping accommodation, or both.

(16) /

(16) Garage

"Garage" shall mean any building, space or enclosure in which one or more motor vehicles are stored, kept or repaired.

(17) Garage, public

"Public garage" shall mean any building, space or enclosure in which the business of storing, repairing or washing of motor vehicles is carried on or in which motor vehicles used for hire or for business purposes are stored.

(18) Garage, private

"Private garage" shall mean any garage not included within the definition of "public garage".

(19) Industry

"Industry" shall mean the business of storing, repairing, manufacturing, fabricating, preparing or treating of any article, substance or commodity whatsoever for profit, and includes public garages.

(20) Lot

"Lot" shall mean a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or structure, or a group of buildings or structures, that are united by a common interest or use, and the open spaces appurtenant to the same.

(21) Lot line

"Lot line" shall mean the division line between any two or more lots.

(22) Motor service station

"Motor service station" shall mean and include a building or premises, in or from which gasoline, oil or grease is sold for use in motor vehicles, or in which storage batteries are recharged, repaired, or cared for, or in which tires are vulcanized.

(23) Percentage of lot occupancy

"Percentage of lot occupancy" shall mean that portion of a lot or parcel of land upon which a building is or may be erected in accordance with the provisions of this By-Law. In determining such area that part covered by unsheltered steps, porches, terraces or cornices /

nices shall be excluded but that part covered by a roofed verandah shall be included.

(24) Room, habitable

"Habitable room" shall mean a room occupied by one or more persons for living, eating or sleeping and includes kitchens, but does not include bathrooms, toilets, laundries, pantries, storage rooms, corridors, cellars, and spaces that are not used frequently or during extended periods.

(25) Stable, public

"Public stable" shall mean and include a boarding stable, a sales stable and a livery stable or any stable in which two or more horses, or one or more cows, used for or in connection with any business, are kept.

(26) Stable, private

"Private stable" shall mean any stable not included within the definition of "public stable".

(27) Structure

"Structure" shall mean any erection fixed to or supported by the soil.

(28) Use

"Use" shall mean the purpose for which a building, structure, or premises, or part thereof, is used or occupied or intended or designed to be used or occupied.

(29) Yard, front

"Front yard" shall mean an open space, unoccupied from the ground to the sky, located on the same lot with the main building which it serves, between the front wall thereof and the front line of the lot extending across the full width of the lot.

(30) Yard, rear

"Rear yard" shall mean an open space, unoccupied from the ground to the sky, located on the same lot with the main building which it serves, between the rear wall thereof and the rear line of the lot upon which accessory buildings are to be erected.

(31) /

(31) Yard, side

"Side yard" shall mean an open space, unoccupied from the ground to the sky, and located on the same lot with the main building which it serves, between the side wall thereof and the side lot line, at least 5 feet wide and extending through from the front lot line to the rear yard.

Division of City into Zones and Districts

3. (1) For the purpose of this By-Law there shall be certain Zones within the said City of Kelowna which shall define the use to which the land, buildings and structures in that particular Zone may be put, and the said City shall be divided into Districts which shall be allotted to the said Zones all as hereinafter set forth, namely:-

(2)	<u>Districts</u>		<u>Zones</u>	
	No. 1	to	A -----	Retail
	2	to	B -----	Light Industry
	3	to	B -----	" "
	4	to	B -----	" "
	5	to	C -----	Industrial
	6	to	D -----	Oil Storage
	7	to	E -----	Agricultural
	8	to	E -----	"
	9	to	F -----	Live Stock
	10	to	G -----	Apartment
	11	to	G -----	"
	12	to	H -----	Residential

(3) The parts of the said City contained within the said respective Districts numbered 1 to 12 both inclusive, shall be as hereinafter defined in the Schedule to this By-Law.

(4) No building or structure or part thereof, and no land shall be used in the Zones hereinafter mentioned for purposes other than as follows:-

In Zone "A" - Retail shop or store, office, hotel, printing and publishing, public garage, motor service station, bank, undertaker's establishment, restaurant, auditorium, fire hall, police station or Municipal or Government building, theatre, motion picture theatre, dance hall, skating rink, club or fraternal society, apartments, apartment houses, telephone exchange or telegraph office, poolrooms, dwellings, churches, schools and accessory buildings, or an accessory use limited to the purpose to which the main building, or part thereof, is /

is devoted, and an industry ancillary to a use permitted within this section, provided that it shall not occupy in excess of half of the floor space of the building, or part thereof, occupied by the use to which it is ancillary, and provided further that no machinery requiring for its operation power in excess of ten (10) H.P. shall be installed or operated therein for industrial purposes.

In Zone "B" - Those permissible in Zone "A", also bus and truck terminals, creamery, bakery, wholesale trade and storage, electrical substation, public stable, parking lot, and a light industry which shall mean any industry in or about which not more than ten (10) persons are directly employed in some mechanical or industrial process, and which is not an offensive trade within the meaning of the Health Act, being Chapter 114 of the Revised Statutes of British Columbia, 1936. For greater particularity "light industry" shall include the following:- Printing establishment, coke and coal yard or building, clothes cleaning, dog or cat home, bottling establishment, soft drinks, brewing or distilling, laundry, carpet cleaning, cooperage, dyeing, furniture manufacturing, leather goods, machine shop, creamery, ice cream or milk, rubber goods, stone or monuments, textile, tinsmith, blacksmith, confectionery, ice, transfer, baggage and delivery, taxi service, pawnshops, and junk shops.

In Zone "C" (1) Any industry, and wholesale trade and storage, (excepting storage and refinery of gasoline and oil, any use prohibited by Clause 4 of this By-Law, and any use which the Building Inspector shall deem offensive within the meaning of the said Health Act).

(2) The following retail stores and uses only, namely:- Builders' supplies, coal and wood, garages, motor service stations, auto storage and parking, creamery, laundry, bus and truck haulage, rail and boat terminals, freight sheds, delivery service and cartage, and

(3) Apartment-houses, apartments, dwellings and accessory buildings, churches and schools.

In Zone "D" - Storage and refinery of gasoline and oil.

In /

In Zone "E" - Commercial poultry, greenhouses and agriculture, dwellings and accessory buildings, any use as mentioned in Clause 5 of this By-Law, and any use which may be permitted under Clause 6 of this By-Law.

In Zone "F" - Any use permitted in Zone "E", and commercial livestock.

In Zone "G" - Apartment houses, Apartments, dwellings, churches, schools and accessory buildings, any use as mentioned in Clause 5 of this By-Law and any use which may be permitted under Clause 6 of this By-Law.

In Zone "H" - Dwellings and accessory buildings, any use as mentioned in Clause 5 of this By-Law, and any use which may be permitted under Clause 6 of this By-Law.

Absolute Prohibition

4. No building or structure or part thereof and no land shall be used within the municipal limits of the City for the purposes of a slaughter house, the keeping or rearing of hogs, a tannery or a glue factory.

Permissible in any Zone

5. (1) The use of a building or structure in any Zone shall be permitted for any of the following purposes:- Dressmaking and needle work, shoe repair, saw-filing, radio service, music school, dancing school, art school, kindergarten school, medical, doctors' and dentists' and other professional consulting rooms, provided always that the building or structure in which any such business is carried on shall not be built or altered in Zones E, F, G, or H, to display goods or to give an appearance of a commercial enterprise and the only signboard permitted shall be one stating only the name and business. Such signboard shall not exceed one hundred and eighty (180) square inches in area and shall be attached flat to the wall of the building or structure in which such business is carried on.

(2) A private garage for the joint use of two adjoining dwellings may be erected on the lot line between the two lots on which said adjoining /

joining dwellings are situated or in the side yard of either of such dwellings, provided always that the front of such garage shall not be closer to the front line of either of said lots than the main front wall of either of the said dwellings to which the said garage shall be accessory.

(3) A private garage for the use of one dwelling may be erected in either the rear, side or front yard of the dwelling which it serves provided always that the front wall of such garage shall not be closer to the front lot line of the lot upon which such dwelling and garage stand than the main front wall of such dwelling and that such garage shall be at least five feet from the side lot line of such lot.

(4) The construction of any private garage as permitted in Subsections 2 and 3 of Clause 5 of this By-Law shall conform in all respects to the provisions of the Building By-Law with respect to the same.

Permissible under Special Permit

6. The Council may on application duly made to it by resolution permit certain specific use of land or buildings or structures in Zones not otherwise permitted when for special use such as Provincial, and Dominion or Civic buildings, schools, hospitals and other institutional buildings, libraries, railway, bus and truck terminals, airports, radio stations, agricultural fairs, race courses, aquatic pavilions, bathing houses, launch and boat building and renting, golf courses, riding schools, parks and recreational grounds, circuses, skating rinks, greenhouses, tents, telephone, telegraph and electric power stations, auto camps and tourist parks, municipal market, and may permit such business to be carried on as is consistent with the use for which the building was erected including sale of food, lunches and meals.

Hedges, trees and fences

7. No hedge, tree, fence or other structure exceeding three (3) feet in height above the curb line grade shall be permitted in Zones E, F, G, and H. on either side of a corner lot within sixteen (16) feet of an intersection /

tersection of the street line except that a tree, clear of foliage for not less than ten (10) feet from the ground may be permitted.

Fire Danger and Nuisances

8. No building or structure or part thereof and no land shall be used for any business, trade or industry, which from its nature or the materials used therein, will be dangerous in causing or promoting fires, or which shall emit noxious or offensive fumes, gases, smells, smoke or other nuisance, unless its erection or maintenance has been authorized in accordance with the said Health Act.

Billboards

9. Billboards or display signs shall be permitted only in Zones A, B, C and D, by special permission of the Council, and shall be prohibited in all other Zones.

Auto-trailers

10. Auto-trailers or trucks fitted up with living quarters shall be prohibited from parking or setting up camp overnight on any street, lane, or public or municipally owned property, except where designated by resolution of the Council for that purpose. If such parking or camping shall be on private property for a period longer than one month anywhere within the limits of the City, such auto-trailer or truck shall be deemed a dwelling and shall be subject to any applicable regulations of the City governing dwellings.

Percentage of Lot Occupancy

11. (1) No dwelling shall occupy more than thirty-three per cent of the area of the lot on which it is situated.

(2) The total area of accessory buildings to a dwelling shall not exceed ten per cent of the area of the lot on which they are situated. Such buildings shall not exceed one-storey in height above the yard level, and shall be located in the rear yard of the building to which they are accessory.

Areas and Heights

12. In Zone G the combined area of an apartment-house and all accessory /

accessory buildings and required courts and courtyards shall not exceed eighty-five (85) per cent of the area of the lot upon which they are situated, leaving at least fifteen (15) per cent of the lot as yards, and the height shall not exceed three storeys. The set-back from the street in Zone G shall conform to the set-back required under the provisions of the Building By-Law for dwellings or to conform to the set-back of adjacent buildings.

13. In Zones A, B and C, apartment-houses may occupy the full area of a lot except for required courts, courtyards or yards, but the height shall not exceed three (3) storeys.

14. An attic when used as a habitable room or rooms shall be one storey within the meaning of this By-Law and shall have proper stairway exits, fire escape, windows and room areas and heights.

15. The hereinbefore specified areas and heights shall further and at all times comply with the provisions of the Building By-Law.

16. A Court or Courtyard shall have a minimum width equal to one-third of the height of the walls of the court or courtyard, but not less than six feet, with an area equal to one and one-half times the square of its width. The width and areas of courts, courtyards and yards are minimums, and so as to provide for adequate air and light, plans for apartment-houses shall be approved by the Building Inspector and on appeal to it the Board of Appeal shall have authority to require such greater width and areas of courts, courtyards and yards as it deems advisable.

17. The area of a lot shall not be reduced or diminished by sale or subdivision or by the erection of additions or new buildings so that the percentage of courts, courtyards and/or yards or the set-back shall be less than hereinbefore permitted; provided that this prohibition shall not apply when the lot shall be reduced by reason of a street or lane opening or widening, or other public improvement.

Light and Ventilation

18. (1) Every building hereafter erected shall be constructed, arranged /

arranged and equipped to conform with the provisions of this By-Law.

(2) No building shall hereafter be altered or rearranged so as to reduce the size of a room or the amount of the window space to less than that required for buildings hereafter erected or to create an additional room unless such additional room shall be made to conform with the requirements for rooms in buildings hereafter erected.

19. Every habitable room shall have one or more windows of an area at least equal to one-tenth of the floor area but in any event not less than six square feet, opening directly on a street, lane, court or courtyard. Such room shall not be less than six feet wide in any part and shall contain not less than sixty square feet of clear floor area and shall have a height of at least eight feet, except in the case of a room used exclusively for a kitchen when such kitchen may be not less than fifty square feet in area, with a minimum width of five feet.

20. A habitable room shall not be divided with fixed or movable partitions or curtains unless each part of such divided room shall conform separately to all the requirements of this By-Law.

21. (1) Every habitable room shall be of sufficient size to provide three hundred and twenty (320) cubic feet of air for each person occupying the room.

(2) Every other room, cellar, basement, corridor, hallway, bathroom, toilet, auditorium, theatre, factory, workshop, laundry, boiler or furnace room, store, manufacturing plant, cannery, packing house, or the like, shall have windows opening onto a street, lane court, courtyard, yard or light shaft, or be provided with sky-lights or natural or mechanical ventilation, all to be approved by the Building Inspector.

22. Artificial sun lighting and air conditioning where adopted shall be installed in the most approved methods to the satisfaction of the Building Inspector and the City Engineer of The Corporation of the City of Kelowna.

Dwelling in Accessory Building

23. Notwithstanding anything contained in this By-Law dwelling accommodation may be provided in a private garage or private stable for /

for the accommodation of a chauffeur, coachman or other domestic employee and his or her family, although such garage or stable is located in the rear of another building, provided that such building is an accessory building to a dwelling and that the employer of the said chauffeur, coachman or other domestic employee is resident within such dwelling and further provided that such dwelling accommodation complies with the requirements of this By-Law with regard to habitable rooms.

Building Permits

24. Every person proposing to erect or alter any building or structure shall when applying for a building permit from the Building Inspector pursuant to the provisions of the Building By-Law, also file with the Building Inspector a signed statement as to the use or purpose for which such building or alteration is intended and with such other information as may be necessary to provide for the enforcement of this By-Law. If such building or structure is designed in a manner or intended for a use not permitted within the District concerned, the Building Inspector shall not issue or permit to be issued any building permit therefor and shall notify such person accordingly.

Enforcement

25. (1) The Building Inspector shall be charged with the enforcement of this By-Law.

(2) The Building Inspector and his Assistants shall be authorized to enter at all reasonable times upon and in any land, building and/or structure subject to the provisions of this By-Law, in order to ascertain whether the same are obeyed. No person shall prevent or obstruct or seek to prevent or obstruct the entrance by the Building Inspector or any of his assistants as aforesaid

Appeal

26. (1) In addition to the cases mentioned in Section 16 of the Act an appeal shall lie to the Board of Appeal by any person who is prejudiced or aggrieved by any order or act of any official done in pursuance of or to enforce the provisions of this By-Law, and by the Municipal /

Municipal Council, or any member thereof, and by any officer or department of the City, if dissatisfied with the decision of any official charged with the enforcement of this By-Law.

(2) Any person (hereinafter called the "Appellant"), desirous of exercising the right of appeal to the Board of Appeal, shall deposit with the Clerk of the City within ten days of the decision, order or act complained of, a Notice of Appeal with respect thereto, which shall state clearly the description of the property of the Appellant affected thereby and the grounds of complaint. The Appellant shall give in such Notice of Appeal an address to which all Notices may be mailed to such Appellant.

(3) The mailing by registered mail at the said City of Kelowna of a notice with respect to any decision, order, matter or thing in respect of which notice may be necessary under the provisions of the Act or this By-Law, posted to the address of such Appellant, as given in the said Notice of Appeal, shall be deemed to be good and sufficient service of such notice as of the day following the posting thereof.

(4) The said Clerk shall forthwith notify the Chairman of the Board of Appeal of such Notice of Appeal, and the said Chairman shall forthwith fix a convenient date for the hearing of such appeal. Five days' notice of such hearing, giving the time and place thereof, shall be given by the said Clerk to the Appellant, and to the Building Inspector and such other person or persons as may be directed by the said Chairman, provided however, that with the consent of the Building Inspector and the Appellant the Board of Appeal may hear the said appeal within the said five days.

(5) The Chairman of the Board of Appeal shall satisfy himself that due publicity has been given to the appeal and may direct such advertisement thereof as to him shall seem desirable. Hearings by the Board of Appeal shall be open to the public, save when the Board of Appeal deems it to be in the public interest that the public be excluded.

(6) The hearing and proceedings before the Board of Appeal shall be informal and evidence need not be given under oath and may be accepted in writing.

(7) /

(7) The Members of the Board of Appeal may, in all cases, take a view of the land, building, and/or structure with respect to which the appeal has been taken and the neighbourhood thereof. Any person whose property is affected by such appeal shall have a right to be heard and give evidence on the hearing of such appeal, and to be represented by counsel or any other person thereat.

(8) The Board of Appeal or the members present may adjourn any hearing of an appeal from time to time.

(9) Every decision of the Board of Appeal on the completion of the hearing of an appeal shall be filed with the said Clerk of the City immediately upon the giving thereof, and such Clerk shall communicate the same to the Appellant, to the Council, and to such officials of the City as may be concerned thereby, who shall carry out the purport of such decision, and shall issue a permit, or otherwise give effect to such decision upon the fulfilment by the Appellant of any condition which may be imposed by the Board of Appeal as set out in such decision.

(10) The Board of Appeal shall cause a record of its proceedings to be kept.

27. Notwithstanding anything contained in this By-Law the Board of Appeal may vary the regulations in regard to set-back, yards or accessory buildings on a lot of unusual or odd shape, size or location, provided always that due consideration shall be given to the provision of light, air, open spaces, and the preservation of the amenity of residential districts, as well as the other factors set forth in the preamble of this By-Law.

28. The Board of Appeal shall have full authority to refuse to permit the erection of a building which in value, design, size or appearance, in its opinion, would tend to reduce the assessable value of surrounding or adjacent property, or would appear a deformity or an incongruity.

Violation of Provisions of By-Law
Deemed an Infraction

29. Every person who violates any of the provisions of this By-Law, or who causes, suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-Law, or /

or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-Law, or who constructs, erects, reconstructs or alters, or causes to be constructed, erected, reconstructed or altered, any building or structure, or who uses or occupies any land, building or structure in a manner prohibited by or contrary to any of the provisions of this By-Law, or who otherwise does any act or thing which violates any of the provisions of this By-Law, shall be deemed to be guilty of an infraction of this By-Law and shall be liable to the penalties hereby imposed.

Penalty

30. Every person guilty of an infraction of this By-Law shall be liable on summary conviction, to a penalty not exceeding One hundred (\$100.00) Dollars for each offence, and a fresh penalty not exceeding the same amount for every day, or portion of a day, during which such infraction shall continue.

Enforced Pulling-down or Removal

31. (1) The Building Inspector may order the pulling-down or removal, at the expense of the assessed owner thereof, of any building or structure or part thereof which may be constructed or placed in contravention of this By-Law, and in default of such pulling-down or removal being done by such assessed owner, the expense thereof may be recovered by the Council, with interest at the rate of six per centum per annum, with costs, in like manner as municipal taxes.

(2) The imposition of any penalty as hereinbefore mentioned shall not be held to prevent the enforced pulling-down or removal of the aforesaid building or structure or part thereof under this clause.

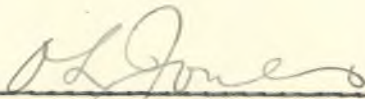
Read a first time by the Municipal Council this Twenty-first day of November, 1938.

Read a second time by the Municipal Council this Twenty-first day of November, 1938.

Read a third time by the Municipal Council this Twenty-first day of November, 1938.

Reconsidered /

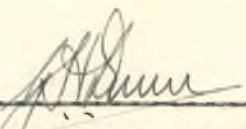
Reconsidered, finally passed and adopted by the
Municipal Council of The Corporation of the City of Kelowna
this twenty-eighth day of November, 1938.



Mayor


Clerk

I hereby certify the above to be a true copy of
By-Law No.740 passed by the Municipal Council of The Cor-
poration of the City of Kelowna on the twenty-eighth day
of November, 1938.



Clerk of the Municipal Coun-
cil of The Corporation of the
City of Kelowna.

S C H E D U L E

District Number One (1)

Commencing at a point where the Centre Line of Abbott Street produced north, intersects the Centre Line of the lane north of Bernard Avenue produced west; thence easterly along said Centre Line of lane north of Bernard Avenue to its intersection with the Centre Line of St. Paul Street; thence southerly along the Centre Line of St. Paul Street produced south to its intersection with the Centre Line of the lane south of Bernard Avenue produced east; thence westerly along the Centre Line of the lane south of Bernard Avenue to its intersection with a line parallel with the Centre Line of Pendozi Street at a distance of one hundred and thirty-three (133) feet east; thence southerly along said line parallel with the Centre Line of Pendozi Street and distant one hundred and thirty-three (133) feet east to its intersection with the Centre of the lane south of Leon Avenue; thence westerly following said Centre Line of lane south of Leon Avenue to its intersection with a line parallel with the Centre line of Pendozi Street at a distance of one hundred and thirty-three (133) feet west; thence northerly along said line parallel with the Centre Line of Pendozi Street and distant one hundred and thirty-three feet (133) west to its intersection with the Centre Line of the lane south of Bernard Avenue; thence westerly along said Centre Line of lane south of Bernard Avenue produced west to its intersection with the Centre Line of Abbott Street; thence northerly along said Centre Line of Abbott Street to the point of commencement.

District Number Two (2)

Commencing at a point where the Centre Line of the lane south of Leon Avenue intersects a line running parallel with the Centre Line of Pendozi Street at a distance of one hundred and thirty-three (133) feet east; thence northerly along said line parallel with the Centre Line of Pendozi Street and distant one hundred and thirty-three feet (133) east to its intersection with the Centre Line of the lane south of Bernard Avenue; thence easterly along said Centre Line of the lane south of Bernard Avenue to its intersection with the Centre Line of lane east /

east of Ellis Street and shown on Registered Map 1347; thence southerly along said Centre Line of lane east of Ellis Street (Registered Map 1347) produced south to its intersection with the Centre Line of the lane south of Leon Avenue; thence westerly along said Centre Line of lane south of Leon Avenue to the point of commencement.

District Number Three (3)

Commencing at a point where the Centre Line of Abbott Street intersects the Centre Line of the lane south of Bernard Avenue produced west; thence easterly along said Centre Line of the lane south of Bernard Avenue produced west to its intersection with a line parallel with the Centre Line of Pendozi Street at a distance of one hundred and thirty-three (133) feet west; thence southerly along said line parallel with the Centre Line of Pendozi Street and distant one hundred and thirty-three (133) feet west to its intersection with the Centre Line of the lane south of Leon Avenue; thence westerly along said Centre Line of lane south of Leon Avenue to its intersection with the Centre Line of the lane east of Abbott Street; thence northerly along said Centre Line of lane east of Abbott Street to its intersection with the Centre Line of Lawrence Avenue; thence westerly along said Centre Line of Lawrence Avenue to its intersection with the Centre Line of Abbott Street; thence northerly along the said Centre Line of Abbott Street to the point of commencement.

District Number Four (4)

Commencing at a point where the Centre Line of the lane north of Mill Avenue produced west intersects the shore of the Okanagan Lake; thence easterly along said Centre Line of lane north of Mill Avenue produced west to its intersection with a line parallel to the Centre Line of Pendozi Street produced north at a distance of one hundred and thirty-three (133) feet east; thence northerly along said Line parallel with the Centre Line of Pendozi Street and distant one hundred and thirty-three (133) feet east to its intersection with the Centre Line of Doyle Avenue produced west; thence easterly along said Centre Line of Doyle Avenue to its intersection with the Centre Line of lane east of Ellis Street /

Street; thence southerly along said Centre Line of lane east of Ellis Street to its intersection with the Centre Line of lane north of Bernard Avenue; thence westerly along said Centre Line of lane north of Bernard Avenue and produced west to its intersection with the shore of the Okanagan Lake; thence following the said shore of the Okanagan Lake to the point of commencement.

District Number Five (5)

Commencing at a point where the shore of the Okanagan Lake intersects the Centre Line of Cherry Street; thence southerly along said Centre Line of Cherry Street to its intersection with the Centre Line of Roanoke Avenue; thence easterly following the Centre Line of Roanoke Avenue to its intersection with the Centre Line of the lane east of Ellis Street extended north; thence southerly along said Centre Line of lane east of Ellis Street extended north to its intersection with the Centre Line of Gaston Avenue; thence easterly along the said Centre Line of Gaston Avenue to its intersection with the Centre Line of Ethel Street; thence southerly following the said Centre Line of Ethel Street to its intersection with the Centre Line of Clement Avenue; thence westerly along said Centre Line of Clement Avenue to its intersection with the Centre Line of the lane east of Ellis Street; thence southerly along the Centre Line of the lane east of Ellis Street to its intersection with the Centre Line of Doyle Avenue; thence westerly along the Centre Line of Doyle Avenue produced west to its intersection with a line parallel to the Centre Line of Pendozi Street at a distance of one hundred and thirty-three (133) feet east; thence southerly along said lane parallel to the Centre Line of Pendozi Street and distant one hundred and thirty-three (133) feet east to its intersection with the Centre Line of the lane north of Mill Avenue; thence westerly along the Centre Line of the lane north of Mill Avenue extended west to its intersection with the shore of the Okanagan Lake; thence northerly following the shore of the Okanagan Lake to the intersection with the Centre Line of Guy Street; thence northerly following the said Centre Line of Guy Street to its intersection with the shore of the Okanagan Lake /

Lake; thence easterly following the shore of the Okanagan Lake to the point of commencement.

District Number Six (6)

Commencing at a point where the Centre Line of Gaston Avenue intersects the Centre Line of Ethel Street; thence easterly along said Centre Line of Gaston Avenue to its intersection with the Centre Line of Vernon Road (also the East Boundary of City Limits); thence southerly along said Centre Line of Vernon Road to its intersection with the Centre Line of Clement Avenue; thence westerly along said Centre Line of Clement Avenue to its intersection with the Centre Line of Ethel Street; thence northerly along said Centre Line of Ethel Street to the point of commencement.

District Number Seven (7)

Commencing at a point where the Centre Line of Ethel Street intersects the Centre Line of Clement Avenue; thence easterly along said Centre Line of Clement Avenue to its intersection with the Centre Line of the Vernon Road; thence southerly following the said Centre Line of the Vernon Road to its intersection with the Centre Line of the lane south of Fuller Avenue and produced east; thence westerly along the said Centre Line of the lane south of Fuller Avenue produced east to its intersection with the Centre Line of Ethel Street; thence northerly along said Centre Line of Ethel Street to the point of commencement.

District Number Eight (8)

Commencing at a point where the Centre Line of Ethel Street intersects the Centre Line of Borden Avenue; thence easterly along said Centre Line of Borden Avenue to its intersection with the Centre Line of Vernon Road (also the East Boundary of the City Limits); thence southerly along said Centre Line of the Vernon Road to its intersection with the South Boundary of the City Limits; thence westerly following the said South Boundary of the City Limits to its intersection with the Centre Line of Ethel Street; thence northerly along said Centre Line of /

of Ethel Street to the point of commencement.

District Number Nine (9)

Commencing at a point where the Centre Line of the continuation of Ellis Street intersects the North Boundary of the City Limits; thence easterly and southerly following the North and East Boundary of the City Limits to its intersection with the Centre Line of Gaston Avenue; thence westerly following the said Centre Line of Gaston Avenue to its intersection with the Centre Line of Lane East of Ellis Street, produced North; thence northerly following the said Centre Line of the Lane East of Ellis Street produced North to its intersection with the Centre Line of Roanoke Avenue; thence Westerly following the said Centre Line of Roanoke Avenue to its intersection with the Centre Line of Cherry Street; thence Northerly following the said Centre Line of Cherry Street to its intersection with the Centre Line of Okanagan Boulevard; thence Easterly following the said Centre Line of Okanagan Boulevard to its intersection with the Centre Line of Lane North of Okanagan Boulevard; thence Easterly following the said Centre Line of Lane North of Okanagan Boulevard to its intersection with the Centre Line of Ellis Street; thence Northerly following the said Centre Line of Ellis Street and its continuation to the point of Commencement.

District Number Ten (10)

Commencing at a point where the Centre Line of Mill Avenue produced east intersects the Centre Line of the lane east of Ellis Street; thence easterly along said Centre Line of Mill Avenue produced east to the intersection with the Centre Line of Richter Street; thence southerly along said Centre Line of Richter Street to the intersection with the Centre Line of the lane north of Rosemead Avenue produced east; thence westerly along said Centre Line of the lane north of Rosemead Avenue produced East to the intersection with the Centre Line of Abbott Street; thence northerly along said Centre Line of Abbott Street to its intersection with the Centre Line of Lawrence Avenue; thence easterly along said Centre Line of Lawrence Avenue to the intersection with the Centre Line /

Line of the lane east of Abbott Street; thence southerly along said Centre Line of the lane east of Abbott Street to the intersection with the Centre Line of the lane south of Leon Avenue; thence easterly along said Centre Line of the lane south of Leon Avenue to its intersection with the Centre Line of the lane east of Ellis Street and shown on Registered Map Numbered 1347, and produced south; thence northerly along said Centre Line of lane east of Ellis Street shown on Registered Map Numbered 1347 and produced south to its intersection with the Centre Line of the lane south of Bernard Avenue; thence easterly along said Centre Line of lane south of Bernard Avenue produced east to its intersection with the Centre Line of St. Paul Street produced south; thence northerly along said Centre Line of St. Paul Street produced south to its intersection with the Centre Line of the lane north of Bernard Avenue produced east; thence westerly along said Centre Line of lane north of Bernard Avenue produced east to its intersection with the Centre Line of lane east of Ellis Street; thence northerly along said Centre Line of lane east of Ellis Street to the point of commencement.

District Number Eleven (11)

Commencing at a point where the West Boundary of Registered Plan Numbered 491 produced north intersects the Centre Line of Sutherland Avenue; thence easterly along said Centre Line of Sutherland Avenue to its intersection with the Centre Line of Ethel Street; thence southerly along said Centre Line of Ethel Street to its intersection with the City Boundary; thence westerly following said City Boundary to its intersection with the West Boundary of Registered Plan Numbered 491 extended south; thence northerly along said West Boundary of Registered Plan Numbered 491 to the point of commencement.

District Number Twelve (12)

All those parts of the City not included in the Districts numbered One (1) to Eleven (11) both inclusive.